

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

VALERIE ANNETTE BARTEE,

Plaintiff,

v.

**COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

Case No. 19-CV-371-JFH-SPS

ORDER

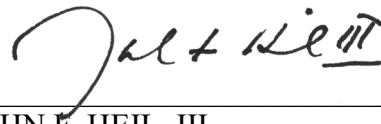
Before the Court is the Report and Recommendation [Dkt. No. 26] of United States Magistrate Judge Steven Shreder reviewing Plaintiff's Application for an Award of Attorney's Fees under the Equal Access to Justice Act [Dkt. No. 23] and Plaintiff's Application for Reimbursement of Cost and/or Expenses Under the Equal Access to Justice Act and 28 U.S.C. § 1920 [Dkt. No. 24]. Magistrate Judge Shreder recommends the Applications be granted. Dkt. No. 26.

Neither party objected to Magistrate Judge Shreder's Report and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with Magistrate Judge Shreder's recommendation, and accepts and adopts it as the order of the Court. On that basis, the Court finds that Plaintiff's Application for an Award of Attorney's Fees under the Equal Access to Justice Act [Dkt. No. 23] and Plaintiff's Application for Reimbursement of Cost and/or Expenses Under the Equal Access to Justice Act and 28 U.S.C. § 1920 [Dkt. No. 24] are **GRANTED.**

IT IS THEREFORE ORDERED that the Government shall pay Plaintiff's attorney's fees in the amount of \$4,478.20 and costs in the amount of \$400.00.

IT IS FURTHER ORDERED that the award shall be made to Plaintiff as the prevailing party and not directly to Plaintiff's counsel. Further, should Plaintiff's counsel ultimately be awarded attorney's fees pursuant to 42 U.S.C. § 406(b)(1), counsel shall refund the smaller amount to Plaintiff.

DATED this 14th day of July, 2021.

A handwritten signature in black ink, appearing to read "John F. Heil, III", written over a horizontal line.

JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE